

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

STEVEN O. TITSWORTH,

Petitioner,

v.

MIKE MULLIN, Warden,

Respondent.

No. CIV 09-401-RAW-KEW

ORDER AND OPINION
DENYING CERTIFICATE OF APPEALABILITY

Petitioner has filed a notice of intent to appeal the court's order entered April 23, 2010, dismissing his petition for a writ of habeas corpus as barred by the statute of limitations. After a careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). See also 28 U.S.C. § 2253(c).

Accordingly, petitioner is denied a certificate of appealability.

IT IS SO ORDERED this 5th day of May 2010.


RONALD A. WHITE
UNITED STATES DISTRICT JUDGE